

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TIMOTHY WARREN TAYLOR,

Petitioner,

Case No. 1:05-cv-11

v.

HON. DAVID W. McKEAGUE

STATE OF MICHIGAN,

Respondent.

**ORDER ADOPTING REPORT AND RECOMMENDATION
AND DENYING PETITION FOR WRIT OF HABEAS CORPUS**

Petitioner Timothy Warren Taylor having petitioned the Court for writ of habeas corpus under 28 U.S.C. § 2254; and

The petition having been reviewed pursuant to 28 U.S.C. § 636(b) by the United States Magistrate Judge who, on April 20, 2005, issued a report and recommendation recommending that the petition be denied as time barred; and

The report and recommendation having been duly served on the parties and no objection having been filed within the time permitted by law; and

The Court noting that petitioner has failed to invoke the doctrine of equitable tolling; and

The Court having duly considered the report and recommendation and finding that it is well-reasoned and in accord with applicable law; now therefore,

IT IS HEREBY ORDERED that the report and recommendation is **ADOPTED** as the opinion of the Court; and

IT IS FURTHER ORDERED that petition for writ of habeas corpus is **DENIED** because it is barred by the statute of limitations.

Dated: May 11, 2005

/s/ David W. McKeague
DAVID W. McKEAGUE
UNITED STATES DISTRICT JUDGE